

Introduced by Senator Johnson

February 20, 2004

An act to amend Sections 316, 340, 1000, 1001, 1201, 1202, 6180, and 6952 of the Elections Code, and to amend Section 84200.4 of the Government Code, relating to primary elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1730, as introduced, Johnson. Primary elections.

Existing law requires that the statewide direct primary election be held on the first Tuesday in March in each even-numbered year. It requires that, in any year evenly divisible by the number 4, the statewide direct primary election be consolidated with the presidential primary held on the first Tuesday in March in those years.

This bill would instead require that the statewide direct primary election be held on the last Tuesday in June of each year. By requiring a higher level of service by local elections officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 316 of the Elections Code is amended
2 to read:
3 316. “Direct primary” is the primary election held on the ~~first~~
4 ~~last~~ Tuesday in ~~March~~ June in each even-numbered year, to
5 nominate candidates to be voted for at the ensuing general election
6 or to elect members of a party central committee.
7 SEC. 2. Section 340 of the Elections Code is amended to read:
8 340. “Presidential primary” is the primary election that is
9 held on the ~~first last~~ Tuesday in ~~March~~ June in any year which is
10 evenly divisible by the number four, and at which delegations to
11 national party conventions are to be chosen.
12 SEC. 3. Section 1000 of the Elections Code is amended to
13 read:
14 1000. The established election dates in each year are as
15 follows:
16 (a) The second Tuesday of April in each even-numbered year.
17 (b) The ~~first last~~ Tuesday ~~after the first Monday in March~~ June
18 of each odd-numbered year.
19 (c) The ~~first last~~ Tuesday in ~~March~~ June in each
20 even-numbered year.
21 (d) ~~The first Tuesday after the first Monday in June of each~~
22 ~~odd-numbered year.~~
23 ~~(e) The first Tuesday after the first Monday in November of~~
24 ~~each year.~~
25 SEC. 4. Section 1001 of the Elections Code is amended to
26 read:
27 1001. Elections held in ~~March~~ June and November of each
28 even-numbered year are statewide elections and these dates are
29 statewide election dates.
30 SEC. 5. Section 1201 of the Elections Code is amended to
31 read:
32 1201. (a) The statewide direct primary shall be held on the
33 ~~first last~~ Tuesday in ~~March~~ June of each even-numbered year.
34 (b) Notwithstanding subdivision (a), in any year which is
35 evenly divisible by the number four, the statewide direct primary

shall be held on the ~~first~~ *last* Tuesday in ~~March~~ *June* and shall be consolidated with the presidential primary held in that year.

SEC. 6. Section 1202 of the Elections Code is amended to read:

1202. The presidential primary shall be held on the ~~first~~ *last* Tuesday in ~~March~~ *June* in any year evenly divisible by the number four.

SEC. 7. Section 6180 of the Elections Code is amended to read:

6180. At least 68 days before a presidential primary election, the Secretary of State shall transmit to each county elections official a certified list containing the name of each candidate who is entitled to be voted for on the ballot at the presidential primary, and the name of each chairperson of a steering committee of an uncommitted delegation who is to be voted for on the same ballot.

If no uncommitted delegation has qualified pursuant to Article 4 (commencing with Section 6060), the Secretary of State shall inform the county elections officials to provide for an uncommitted delegate space on the ballot.

The certified list shall be in substantially the following form:

Certified List of Presidential Candidates and Uncommitted Delegations

To the County Elections Official of ____ County:

I, ____, Secretary of State, do hereby certify that the following list contains the name of each person who is entitled to be voted for as a candidate of the Democratic Party at the presidential primary election to be held on the ____ day of ~~March~~ *June*, 20__, and the name of each chairperson of a steering committee of an uncommitted delegation which is entitled to be voted for on the ballot.

List of Presidential Candidates and Uncommitted Delegations

Linda Adams

Joseph Black

John Reardon

Unpledged delegation

Paul Minor,

Chairperson

1 Dated at Sacramento, California, this ____ day of ____, 20__.

2 _____
3 (SEAL) Secretary of State

4
5 SEC. 8. Section 6952 of the Elections Code is amended to
6 read:

7 6952. The certified list required by Section 6951 shall be in
8 substantially the following form:

9
10 CERTIFIED LIST OF CANDIDATES FOR PRESIDENTIAL
11 PREFERENCE PRIMARY AND CANDIDATES FOR
12 NATIONAL CONVENTION DELEGATE
13

14 To the County Elections Official of ____ County:

15 I, ____, Secretary of State, do hereby certify that the names of
16 the candidates to appear on the ~~March~~ June ____, 20__, Peace and
17 Freedom Party presidential preference primary ballot, in the order
18 in which they are to appear, are:

19
20 _____
21 _____
22 etc.

23
24 I further certify that the following list contains the name and
25 post office address of each person who is entitled to be voted for
26 at the ~~March~~ June ____, 20__, Peace and Freedom Party
27 presidential primary election as a candidate for delegate to the next
28 national convention of the ____ Party with which the Peace and
29 Freedom Party of California is affiliated on the national level. I
30 further certify that the groups of candidates for delegate each
31 appear under the name of the person for whom the group has
32 expressed a preference as nominee of the Peace and Freedom Party
33 for President, or under the name of the group chairperson in case
34 of a group not expressing a preference, and that the groups are
35 listed in the order in which they are to appear on the national
36 convention delegate portion of the Peace and Freedom Party
37 presidential primary ballot.

LIST OF CANDIDATES FOR NATIONAL CONVENTION
DELEGATE

PEACE AND FREEDOM PARTY

Candidates
preferring

Name

Address

Top of group

1 _____

2 _____

3 _____

etc.

etc.

Candidates expressing
no preference
(Name of chairperson)

Name

Address

Top of group

1 _____

2 _____

3 _____

etc.

etc.

Dated at Sacramento, California, this ____ day of ____, 20__.

(SEAL)

Secretary of State

SEC. 9. Section 84200.4 of the Government Code is amended
to read:

1 84200.4. In addition to other reports required under this
2 chapter, campaign statements shall be filed as follows in
3 connection with a statewide direct primary election held in ~~March~~
4 *June* of an even-numbered year or any other election held on that
5 date:

6 (a) For the period ending September 30 of the year prior to the
7 election, a statement shall be filed no later than October 10 for the
8 period ending September 30.

9 (b) For the period ending December 31 of the year prior to the
10 election, a statement shall be filed no later than January 10 of the
11 year of the election.

12 SEC. 10. Notwithstanding Section 17610 of the Government
13 Code, if the Commission on State Mandates determines that this
14 act contains costs mandated by the state, reimbursement to local
15 agencies and school districts for those costs shall be made pursuant
16 to Part 7 (commencing with Section 17500) of Division 4 of Title
17 2 of the Government Code. If the statewide cost of the claim for
18 reimbursement does not exceed one million dollars (\$1,000,000),
19 reimbursement shall be made from the State Mandates Claims
20 Fund.

